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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/313,916	05/18/1999	THEODORE DAVID WUGOFSKI	98-0655	4454

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GATEWAY, INC.  
ATTN: SCOTT CHARLES RICHARDSON  
610 GATEWAY DR., Y-04  
N. SIOUX CITY, SD 57049

EXAMINER

SORRELL, ERON J

ART UNIT	PAPER NUMBER
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2182

8

DATE MAILED: 04/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/313,916

Applicant(s)

WUGOFSKI, THEODORE DAVID

Examiner

Eron J Sorrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 6-15, 17-26, 28-30, 41-44 and 46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 11-15, 17-20, 22-26, 28, 30 and 41-44 is/are rejected.
- 7) ☒ Claim(s) 10, 21, 29 and 46 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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**DETAILED ACTION**

1. In light of a newly discovered reference, the indication in the previous Office Action that claims 5-9,16-20,27,28, and 45 contained allowable subject matter is withdrawn. The new rejections with reliance on the new art are presented below.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4,6-9,11-15,17-20,22-26,28,30, and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guthridge et al. (U.S. Patent No. 6,393,557 hereinafter "Guthridge") in view of Nakamura (U.S. Patent No. 6,044,425).

4. Referring to method claim 1, computer readable medium claim 12, and system claim 23, Guthridge teaches a method for generating a model representing devices and interconnections of

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the devices within an information handling system and using the model to control devices, the method comprising:

identifying first and second devices connected to the information handling system (see lines 15-18 of column 4);

storing a first device object representing the first device and a second device object representing the second identified device (see lines 36-50 of column 4);

identifying an interconnection (link) between the first identified device with the second identified device, wherein the stored first and second device objects and interconnect object form at least part of the model (configuration graph) (see lines 36-50 of column 4).

Guthridge fails to teach the limitation of querying a user to identify the first and second devices connected to the network.

Nakamura teaches a method and system wherein a user is queried to identify first and second devices connected to the network (see lines 32-41 of column 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the method and system of Guthridge with the above teachings of Nakamura. One of ordinary skill in the art at the time of the applicant's invention would have been motivated to make such

modification in order to flexibly deal with demand by a user for a system configuration, thereby reducing the necessity of making a dedicated design for each system and reducing the cost as suggested by Nakamura (see paragraph bridging columns 1 and 2).

5. Referring to method claim 2, computer readable medium claim 13, and system claim 24, Gutheridge teaches using the model to control operation of at least one of the first devices and the second device (see lines 10-16 of column 1).

6. Referring to method claims 3 and 4, computer readable medium claims 14 and 15, and system claims 25 and 26, Gutheridge teaches the method further comprises the steps of identifying an input and/or output of at least one of the first device and the second device; and storing an input and/or output object in the model representing the identified input and/or output (see figure 5B and the accompanying description at lines 42-55 of column 6).

7. Referring to method claims 6 and 7, computer readable medium claim 17 and 19, Nakamura teaches the querying step comprises providing a user interface for communicating queries

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to the user and the querying step being initiated by the user (see lines 32-41 of column 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the method and system of Guthridge with the above teachings of Nakamura. One of ordinary skill in the art at the time of the applicant's invention would have been motivated to make such modification in order to utilize the convenience of a user interface to make the user aware of the pending query.

8. Referring to method claim 8, computer readable medium claim 20, Nakamura teaches the querying step may be initiated by the information handling system (see lines 22-31 of column 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the method and system of Guthridge with the above teachings of Nakamura. One of ordinary skill in the art would have been motivated to make such modification in order to determine the initial configuration of the system after start-up.

9. Referring to method claim 9, computer readable medium claim 18, and system claim 28, Nakamura teaches the identifying step further comprises querying the user to set an attribute of at

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least one of the first and second devices (see lines 12-25 of column 5).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the teachings of Guthridge with the above teachings of Nakamura. One of ordinary skill in the art at the time of the applicant's invention would have been motivated to make such modification in order to allow the user to specify how the devices should be operated.

10. Referring to claim 11, computer readable medium claim 22, and system claim 30, Guthridge teaches the model is saved in persistent memory (see lines 12-19 of column 9).

11. Referring to system claims 41 and 42, Guthridge teaches a system for generating a model representing devices interconnected with an information handling system and interconnections of the devices to at least one of the information handling system and other devices interconnected with the information handling system, and using the model to control devices; comprising:

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a model generator for generating a model representing all the identified devices and interconnections with the information handling system (see paragraph bridging columns 3 and 4);

wherein, the model includes device objects representing the identified devices and interconnect objects representing the interconnections between the identified device and the information handling system (see figures 5A and 5B and the accompanying description).

Gutheridge fails to teach the system comprises a user interface for providing communication with a user to identify a device interconnected with the information handling system, the user interface querying the user for setting an attribute of an identified device.

Nakamura teaches, in an analogous system, a user interface for providing communication with a user to identify a device interconnected with the information handling system, the user interface querying the user for setting an attribute of an identified device (see lines 32-41 of column 4 and lines 12-25 of column 5).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the method and system of Gutheridge with the above teachings of Nakamura. One of ordinary skill in the art at the time of the



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applicant's invention would have been motivated to make such modification in order to flexibly deal with demand by a user for a system configuration, thereby reducing the necessity of making a dedicated design for each system and reducing the cost as suggested by Nakamura (see paragraph bridging columns 1 and 2).

12. Referring to claim 43, Guthridge teaches the first and second device objects and the first and second interconnect objects each comprise an interface and an implementation, the interface including a routine and the implementation including source code implementing the routine for controlling the identified device or interconnection which the device object or interconnect object represents (see line 37 of column 4 to line 11 of column 5).

13. Referring to claim 44, Guthridge teaches the interface further comprises at least one of a constant, a data type and a variable (see figures 5A and 5B).

***Allowable Subject Matter***

14. Claims 10, 21, 29, and 46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten

in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J Sorrell whose telephone number is 703 305-7800. The examiner can normally be reached on Monday-Friday 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on 703 308-3301. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 805-3900.

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

EJS  
April 12, 2004